

REMARKS

In response to the non-final Office Action mailed April 25, 2005, the Attorney for the Assignee submits the appended amendments and remarks. Claims 20-29 are pending in the present application. Claims 1-19, have been withdrawn, and claims 30-40 have been withdrawn from consideration by the Examiner. Claims 20-29 have been amended in the present response. The present amendment and response traverses all of the prior Office Action rejections, and allowance of the pending claims is kindly requested.

I. REJECTION OF CLAIM 24 UNDER 35 U.S.C. 112

The Office Action rejected claim 24 under 35 U.S.C. 112, 2nd Paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claim 24 has been corrected to depend from claim 23 rather than claim 20. The rejection of claim 24 is traversed.

II. REJECTION OF CLAIMS 20, 24-26, and 28 UNDER 35 U.S.C. 102

The Office Action rejected claims 20, 24-26, and 28 under 37 C.F.R. § 102(b) as being unpatentable over *Bullock* (U.S. Patent No. 6,089,802). Furthermore, the Office Action rejected claims 20, and 24-27 under 37 C.F.R. § 102(b) as being unpatentable over *Blatt* (U.S. Patent No. 4,264,251). Both rejections are respectfully traversed.

Bullock relates to a cargo restraint system, in particular, a strip 24 with release paper 34 applied to adhesive coatings on one side of the strip. *Bullock* does not disclose or suggest the use of a strap system with a “strap” and “a separate patch” to restrain freight as in the Applicant’s claimed invention. Rather, *Bullock* discloses a single strip with adhesive coatings, but no patch.

Likewise, *Blatt* relates to a bulkheading construction with a sheet material having an adhesively securable ends as shown in Figure 3. *Blatt* does not disclose or suggest the use of a strap system with a “strap” and “a separate patch” to restrain freight as in the Applicant’s claimed invention. Instead, *Blatt* discloses a single sheet of material with adhesively securable ends, but no patch.

Independent claim 20 has been amended by the present response. Amended claim 20 recites “A strap system for restraining freight, comprising: a. a first layer comprising a first end and a second end; and b. a separate patch” (underlining supplied). Neither *Bullock* nor *Blatt* disclose or suggest both a strap, and a separate patch. The Office Action states that “the end of the strap is considered to be the patch.” However, the amended claim element “separate patch” specifically describes a separate component from the strap. Therefore, neither *Bullock* nor *Blatt* disclose all of the elements of amended claim 20. Thus, amended claim 20 should be allowable over the cited references.

Moreover, dependent claims 24-28 are ultimately dependent from amended independent claim 20 for which arguments of patentability have already been advanced above. Therefore, neither *Bullock* nor *Blatt* disclose each and every element of Applicant’s dependent claims 24-28, and these claims should also be patentable over the cited art.

III. REJECTION OF CLAIMS 21-23, and 29 UNDER 35 U.S.C. 103

The Examiner rejected claims 21-23, and 29 under 37 C.F.R. § 103(a) as being unpatentable over *Bullock* in view of *Epstein* (U.S. Patent No. 6,478,229). Arguments

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for patentability with respect to at least the primary reference *Bullock* were advanced above for amended independent claim 20. Since claims 21-23 and 29 are ultimately dependent from claim 20, these claims should also be allowable over the cited reference. This rejection is respectfully traversed.

CONCLUSION

Claims 20-29 are pending in the application. The Office Action rejections are believed to be traversed by the present amendment and response. Claims 20-29 should now be in condition for allowance. The Examiner is invited and encouraged to contact the undersigned attorney of record at (404) 815-6048 if such contact will facilitate a Notice of Allowance for claims 20-29. If any additional fees are due, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,


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